

REMARKS

On page 2 of the Examiner's Office Action the Examiner argues that the Applicant should furnish a drawing in connection with the present application. The position of the Examiner is respectfully traversed in as much as the invention is not concerned with the uniqueness of a particular structure of the golf ball of the present invention, but rather certain properties of the golf ball which render it effective for driving range usage. If the Examiner persists in his requirement of a drawing, of course, a drawing would be provided but such a drawing would merely show a golf ball having a core and a cover surrounding the core. However it is believed that such a simple construction of a golf ball can not clarify any matter which would already be apparent by a reading of the present application.

Rejection Under 35 U.S.C. § 102:

Claims 1 and 2 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Yoshimasa et al. (Japanese Patent No. 06-327791). This rejection is respectfully traversed.

As the Examiner will note, original claim 1 has been amended to recite that the ratio F/D of the flexural modulus of the cover F to the deformation of the golf ball D is within the range of 24 to 40. The Applicant has found that a F/D ratio of this amount is particularly effective in obtaining the durability in the golf ball which is desired when golf balls are used for driving range purposes. As noted on page 23 of the present application, the durability represents the number of hits

until the cover of the golf ball cracks, and is indicating by an index when that of the comparative example 1 is 100. The larger the number is, the better is the durability of the golf ball. As noted in table 5 of the present application, by providing a ratio F/D between 24 and 40 a durability of, for examples 1, 2 and 4 of 141, 144 and 137 respectively, can be obtained.

Although the Yoshimasa reference contains no description of the ratio F/D, the Applicant has, in fact, calculated the ratio and have found it to fall within the range of 44.3 to 115.7. This range falls clearly outside of the range of 24 to 40 as recited in claim 1 of the present application, and accordingly, for this reason alone, claims 1 and 2 are novel when compared to the Yoshimasa et al. reference.

In addition, it is believed that the present invention is not obvious over the Yoshimasa et al. reference when reference is made to table 5 at page 24 of the present application. Table 5 clearly shows that examples 1, 2 and 4 correspond to golf balls having the F/D ratios recited in the claims and examples 3 and 5 show F/D ratios which fall outside of the claim. Those golf balls falling outside of the claim range have a much poorer durability which is one of the important features for golf balls used for driving range purposes.

Accordingly, in view of the above amendments and remarks reconsideration of the rejection and allowance of the claims in the present application are respectfully requested.

Applicant(s) respectfully petitions under the provisions of 37 C.F.R. § 1.136(a) and 1.17 for a three month extension of time in which to respond to the Examiner's Office Action. The Extension of Time Fee in the amount of \$920.00 attached hereto.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Joseph A. Kolasch (Reg. 28,380) at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

Joseph A. Kolasch, #22,463

JAK/abs
0020-4864P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachments : Version with Markings to Show Changes Made

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

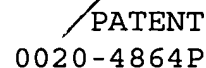
The claims have been amended as follows:

1. (Amended) A floatable golf ball for a driving range comprising a core and a cover covering the care, wherein

the cover has a flexural modulus (F) of 80 to 300 Mpa,

the golf ball has a specific gravity of not less than 0.5 and less than 1.0, and a deformation amount (D) of 3.0 to 6.0 mm when applying from an initial load of 98 N to a final load of 1275 N, and

a ratio (F/D) of the flexural modulus of the cover (F) to the deformation amount of the golf ball (D) is with the range of **[15 to 50] 24 to 40**.



Applicant:	Kazuhisa FUSHIARA	Conf.:	8117
Appl. No.:	09/854,693	Group:	3711
Filed:	May 15, 2001	Examiner:	R. GORDON
For:	FLOATABLE GOLF BALL FOR DRIVING RANGE		RE

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LARGE ENTITY TRANSMITTAL FORM

TECHNOLOGY CENTER R3700

November 21, 2002

Transmitted herewith is an amendment in the above-identified application.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.
- ☐ The enclosed document is being transmitted via facsimile.

The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	2	-	20	=	0	\$18	\$0.00
INDEPENDENT	1	-	3	=	0	\$84	\$0.00
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						\$280	\$0.00
						TOTAL	\$0.00

- ☒ Petition for three (3) month(s) extension of time pursuant to 37 C.F.R. §§ 1.17 and 1.136(a). \$920.00 for the extension of time.
- ☐ No fee is required.
- ☒ Check(s) in the amount of \$920.00 is(are) enclosed.
- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. This form is submitted in triplicate.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Joseph A. Kolasch, #22,463

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P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 10/15/02)